

# STATE OF CONNECTICUT

## CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051

Phone: (860) 827-2935 Fax: (860) 827-2950

E-Mail: [siting.council@ct.gov](mailto:siting.council@ct.gov)

[www.ct.gov/csc](http://www.ct.gov/csc)

November 5, 2013

Lucia Chiocchio, Esq.  
Cuddy & Feder, LLP  
445 Hamilton Avenue, 14<sup>th</sup> Floor  
White Plains, NY 10601

**RE: DOCKET NO. 444 – New Cingular Wireless PCS, LLC application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a telecommunications facility located at the FirstLight Hydro Generating Company property, Kent Road, New Milford, Connecticut.**

Dear Attorney Chiocchio:

The Connecticut Siting Council (Council) received the application for the above-referenced telecommunications facility on November 1, 2013.

According to Section 16-507-1a of the Regulations of Connecticut State Agencies, “no certificate of environmental compatibility and public need shall be granted to any person until a complete application containing all information deemed relevant by the Council has been filed.”

Staff has reviewed this application for completeness and has identified a deficiency in notice to the Town of Sherman. Pursuant to Section 16-507 of the Connecticut General Statutes, “each application shall be accompanied by proof of service of a copy of such application on: (1) each municipality in which any portion of such facility is to be located... and **any adjoining municipality having a boundary of not more than two thousand five hundred feet from such facility**, which copy shall be served on the chief executive officer of each such municipality...” (emphasis added). The Sherman town line is approximately seven hundred feet from the proposed location for this facility.

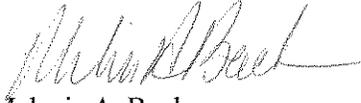
Therefore, the application is incomplete at this time. The Council recommends that the applicant provide notice to the Town of Sherman and engage in a 90-day municipal consultation with the Town of Sherman in accordance with C.G.S. §16-507.

The Council’s request for a 90-day municipal consultation with the Town of Sherman shall have the effect of tolling the Federal Communications Commission (FCC) 150-day tower siting timeframe in accordance with Paragraph 53 of the FCC Declaratory Ruling issued on November 18, 2009 (FCC WT Docket No. 08-165) and the FCC Order on Reconsideration adopted on August 3, 2010 (FCC 10-144).

November 5, 2013  
Docket No. 444

Thank you for your attention to this matter. Should you have any questions, please feel free to contact me at 860-827-2951.

Sincerely,

A handwritten signature in cursive script, appearing to read "Melanie A. Bachman".

Melanie A. Bachman  
Acting Executive Director

MB/cm